REMARKS

Claims 1-8, 21, 23, 25-30, and 40 have been amended. No new matter ~~has been~~ added. Thus, claims 1-49 remain pending in the present application. It is respectfully submitted that all of the presently pending claims are novel, nonobvious and useful and that the present application is in condition for allowance. Therefore, a prompt and favorable action on the merits is earnestly solicited.

Claims 1-49 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the U.S. Patent No. 6,070,128 to Descales et al. ("Descales").

Descales relates to "a method of determining or predicting by near infra red (NIR) spectroscopy properties of feeds or products and/or yields in physical or chemical processes or separations". (See Descales, col. 1, ll. 24-25). In addition, Descales states that in Figure 1, "a schematic diagram showing an apparatus for use in the invention", the apparatus includes a spectrometer 2. For example, Descales recites that "[t]he apparatus for use with the former method of the invention comprises an NIR spectrometer receiving at least one signal from a feed or product line in said process and being coupled to a computer to effect continuous measurement of the spectra of the feed and/or product and provide feed back or feed forward control of the process." (Id., col. 18, ll. 20-26). Furthermore, Descales states that "[t]he present invention also provides an apparatus suitable for carrying out the method of the invention comprising an infra red spectrometer and a computer wherein the infra red spectrometer is linked to the computer programmed in such manner that the property or yield may be determined continuously and in real time or to determine the nearest standard and this in turn is linked to a control means to adjust the process to any deviations when Smc is not the nearest standard." (Id., col. 17, ll. 51-59).

Amended independent claim 1 recites a method of evaluating a whole printing medium for use in a printing process comprising: " submitting the sample of whole printing medium to *interferometric analysis* thereby generating spectral data; and analysing the spectral data,

wherein analysis of the spectral data comprises evaluating features of the whole printing medium indicative of the performance of the whole printing medium in the printing process and predicting the performance of the whole printing medium in the printing process in response to a set of spectral data indicative of performance-related features of reference whole printing media."

All methods, apparatuses and examples in Descales refer to the use of a spectrometer. However, Descales fails to teach or suggest the use of an interferometer. In contrast, the present invention teaches the use of interferometric analysis. Indeed, Figure 1 of the present application shows a typical set-up for obtaining FT-IR spectral data from a whole printing medium sample, wherein the set-up comprises an interferometer system 17. More specifically, the present application recites in paragraph 17: "In the same manner, complete, accurate, repeatable and distinctive signatures could be obtained by submitting whole printing ink samples to Fourier Transform—Near-Infrared (FT-NIR) interferometric analysis according to the test set-up of FIG. 1." Furthermore, the paragraph 0006 of the present application states that "[i]t should be mentioned that most of the above discussed prior technologies are concerned with jet-printing inks and writing instrument inks and that technologies used in connection with offset printing inks or the like are generally of the spectrophotometric type. Therefore, none of the above-discussed existing techniques provide an appropriate means for evaluating features and quality of a whole printing ink, and especially with regard to in-process performance." Therefore, it is respectfully submitted that the present application is patentable over Descales.

Because claims 2-20, 41-44, and 48 depend from, and, therefore include the limitations of claim 1, it is respectfully submitted that these claims are also allowable.

Amended independent claim 21 recites limitations substantially similar to those of claim 1, including the use of an "*interferometric analysis*." Thus, it is respectfully submitted that claim 21 is allowable for at least the same reasons as discussed above with reference to claim 1.

Because claims 22 and 45 depend from, and, therefore include the limitations of claim 21, it is respectfully submitted that these claims are also allowable.

Amended independent claim 23 recites limitations substantially similar to those of claim 1, including the use of an "*interferometric analysis.*" Thus, it is respectfully submitted that claim 23 is allowable for at least the same reasons as discussed above with reference to claim 1.

Because claims 24-40, 46-47, and 49 depend from, and, therefore include the limitations of claim 23, it is respectfully submitted that these claims are also allowable.

In view of the above amendments and remarks, the present patent application is now believed to be in full condition for allowance and an early notice to that effect is respectfully requested.

Respectfully submitted,

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